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TAGS: [CR](#) [MARR](#) [PARM](#) [PREL](#)  
SUBJECT: RESPONSE TO CZECH NON-PAPER ON BMD FRAMEWORK  
AGREEMENT

REF: STATE 138417

¶1. (U) THIS IS AN ACTION REQUEST. SEE PARAGRAPH 2.

¶2. (SBU) Action Request. Embassy Prague may provide the text of the U.S. letter and attachment in paragraph 3 to appropriate MFA officials for their information. The originals of these documents have been sent to the Czech Embassy in Washington, in response to the Czech non-paper titled "Czech View on the Framework Agreement and Related Questions."

¶3. (SBU) Begin text of U.S. letter and attachment:

DEPARTMENT OF DEFENSE

MISSILE DEFENSE AGENCY  
7100 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-7100

Mr. Jaroslav Kurfurst  
Deputy Chief of Mission  
Embassy of the Czech Republic in  
Washington, D.C.,  
3900 Spring of Freedom St. NW  
Washington, DC 20008

Dear Mr. Kurfurst:

We appreciate the thoughtful consideration of the proposed Framework Agreement by the Czech Government as reflected in the non-paper you provided during your recent visit to MDA. Attached please find a response that specifically addresses each question posed by your non-paper.

The Framework Agreement will affirm our close political-military relationship and signal our mutual intent to expand cooperation in the area of Ballistic Missile Defense (BMD). Toward this aim, the Framework Agreement will serve as an instrument under which such cooperative activities can be identified, negotiated, and implemented.

While the scope of cooperation under this agreement is limited to BMD, potential opportunities do exist for industry, technical, and academic cooperation. The BMD Seminar being planned should prove to be an important next step toward identifying potential areas for cooperation, both government-to-government and industry-to-industry, or with academia. As we agreed during our meeting, our goal is to hold the seminar in January 2008.

Finally, I look forward to beginning negotiations on the Framework Agreement and recommend that the Czech

Government propose a date for us to initiate these discussions.

Sincerely,

(signed)

NANCY E. MORGAN  
Deputy for International Affairs

Enclosure

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ATTACHMENT: RESPONSES TO SPECIFIC QUESTIONS:

1) Would the Framework Agreement facilitate in any practical way cooperation between Czech and U.S. companies in general?

The scope of the Framework Agreement will be limited to exchanges of information that relate to the U.S. Ballistic Missile Defense System (BMDS) Program. It will establish authorization for information sharing related to an integrated BMDS. This authorization is necessary to explore opportunities for cooperative RDT&E and industry-to-industry cooperation in this area. To the extent cooperative activities related to the BMDS stimulate interest in other potential cooperative activities outside the scope of this agreement, the Framework Agreement would not govern such activities.

2) Will the procedures for Czech companies participating in the U.S. BMDS Program be any easier after signing the Framework Agreement?

The Framework Agreement will establish an Executive Steering Committee (ESC) to oversee all activities under this Agreement. Through the ESC, the Parties will have the opportunity to develop agreed mechanisms for processing cooperative activities, referred to as Annexes, consistent with applicable laws and regulations. Establishing Annexes should benefit cooperative efforts by improving Czech familiarity with procedures governing the exchange of information, security, financial management, third party transfers, work planning, and conclusion of Annexes.

In addition, subordinate management groups could be established to manage bilateral activities on a permanent or ad hoc basis, as required.

3) Does the proposed cooperation include Research and Development not directly related to BMD?

The purpose of the Framework Agreement is to explore possibilities for engaging in cooperative activities pertaining to and in support of an integrated defense against ballistic missiles launched at the territory or armed forces of the Parties and their allies. The Framework Agreement may promote and facilitate Czech participation in the U.S. BMDS Program. Any potential cooperative activity mutually deemed supportive of the U.S. BMDS Program would fall within the purview of the Framework Agreement, even if such cooperative activity had, in addition, beneficial application beyond the scope of the BMDS.

4) In which way would the Annexes to the Agreement be negotiated?

The United States Government has negotiated Annexes with its other Framework Partners directly between the U.S. Department of Defense and the respective partner's Ministry of Defense. The United States is willing to negotiate with the Czech Ministry of Foreign Affairs, however, we encourage the Czech Government to include representatives from the Czech Ministry of Defense in all such negotiations.

The Missile Defense Agency would act as the negotiating agency on behalf of the Department of Defense. The lead negotiator for all Annex negotiations would be the MDA Deputy for International Affairs, Ms. Nancy Morgan.

5) Has the U.S. concluded a similar kind of Framework Agreement with other Allies?

The Department of Defense has signed BMD Framework Agreements with the Defense Ministries of Australia, Denmark, Italy, Japan, and the United Kingdom. In general, the cooperative activities developed from these arrangements have resulted in modest programs that have played an important part in the BMDS.  
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